

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

February 10, 1997 LB 68

those sort of disputes, then the U.S. Supreme Court has to take jurisdiction and decide that. We have exactly the same situation with the Court of Appeals. If you had a different opinion from two panels of the Court of Appeals, that would lay the basis for and a reason, a very good reason, for the Supreme Court to take jurisdiction of the case and to decide that. So the problem he sees is no more existent at the state level than it is at the federal level, and it has worked very well at the federal level. My final argument in support of or in support of the provision of the statute and in opposition to Senator Chambers' bill goes along the line that Senator Bromm mentioned, and that is that we are probably spending in excess of a million dollars a year for the Court of Appeals system, and as Senator Kristensen pointed out, this is very important particularly in the area of domestic relations. We need to have decisions that are written in opinion form that can be relied upon by other litigants who are involved in disputes, by their lawyers, in an attempt to increase the efficiency of the court system. And it is foolishness to have a court system like this and say, you know, you may be very well-qualified judges but we don't have to pay any attention to your decisions. Their decisions are precedents, they are guidance to citizens of this state and to lawyers in litigation, and we should not sacrifice the expense that we are investing in this system by saying we can ignore your opinions, and the district judge in one part of the state does not have...

SPEAKER WITHEM: One minute.

SENATOR MATZKE: ...to pay any attention to what the Court of Appeals ruled in another part of the state. So I have to respectfully dissent and disagree with the position of Senator Chambers on each of these four or five principles, and I urge that LB 68 not be advanced.

SPEAKER WITHEM: Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Mr. President and members of the Legislature. Senator Chambers, would there be a chance you could answer some questions or let's have a dialogue for a second here.